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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,198	08/02/2005	Rogier Louis Thissen	NL 030132	8391
24737 7590 01/31/2011 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER SAINT CYR, JEAN D	
			ART UNIT 2425	PAPER NUMBER
			MAIL DATE 01/31/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/544,198

Applicant(s)

THISSEN ET AL.

Examiner

JEAN Duclos SAINT CYR

Art Unit

2425

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,8,10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,8,10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is in response to applicant's amendment filed on 11/05/2010. Claims 1-5, 7-8, 10 are still pending in the current application. Claim 11 is added. This action is made FINAL.

Response to Arguments

Applicant's arguments with respect to claims 1-5, 7-8, 10, 11 have been considered but are not persuasive. With respect to claims 1 and 11, applicant argues Baldwin and Coleman did not disclose the program records and the schedule records being coded and/or transmitted in an interleaved manner such that two successive program records are separated by one or more schedule records associated with one of the two successive program records; wherein each program record and its associated schedule records are received prior to the next program record being received.

However, Baldwin et al disclose the compressed data file and code table can then be downloaded to the client for decompression,0037; see fig.6, program table; each program record 620 has one or more fields, such as a program identifier field 622, a program title field 624, a program description field 626, and so on,0091.

And Coleman et al show in fig.3 that programs are received in interleaved manner by presenting a combo schedule associating program record with schedule records and disclose the data is interleaved and organized with all of the schedule/title blocks being provided interleaved with a first half of the descriptions, and then all of the schedule/title blocks being transmitted interleaved with the second half of the description data, col.16, lines 59-63; the IPG data slot to PIDS assignment illustrated in FIG. 5 always guarantees that two consecutive slots are assigned to two distinct PIDS, col.17, lines 52-54; the records describing time slots can be carried in the form of a "schedule record" that combines title and description information into a daily schedule. Examples of such IPG data record structures are illustrated in FIG. 3. It should be appreciated that many other message types are transmitted in a similar manner, col.14, lines 57-62;

each of the N blocks contains the title and description information for all events within a particular time slot col.14, lines 63-67; col.15, lines 1-3; for each event, a title can be provided together with the time at which the event is available. A description of the event can also be provided as part of the IPG data input via the operator interface, col.6,lines 26-29;according to the information that is showed in fig.3, it is clear that data is received in interleaved manner and each program record and its associated schedule record are received before the next program record is received. As a result, this action is made final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-8, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin et al I in view of Coleman et al, US No. 5844620.

Re claim 1, Baldwin et al disclose a method of coding and/or transmitting EPG data, the data comprising a plurality of program records, each program record identifying one program, a plurality of schedule records, each schedule record identifying one or more specific scheduled broadcast times of one program; the program records and the schedule records being coded (the compressed data file and code table can then be downloaded to the client for decompression,0037; see fig.6, program table; each program record 620 has one or more fields, such as a program identifier field 622, a program title field 624, a program description field 626, and so on,0091);

once transmitted, at a receiving device comprising a processor and a memory, the EPG data is read, parsed and stored in the memory as it is being received before the complete reception of the data for the EPG is finished(see fig.3, element 202, CPU and element 310, RAM; the client has random access memory 310, read only memory 312, and flash memory 314. RAM 310 stores data used by the client, including the EPG data file 126 as well as any compression table used to decompress the file, 0040).

But did not explicitly disclose transmitted in an interleaved manner such that two successive program records are separated by one or more schedule records associated with one of the two successive program records;

wherein each program record and its associated schedule records are received prior to the next program record being received.

However, Coleman et al disclose transmitted in an interleaved manner such that two successive program records are separated by one or more schedule records associated with one of the two successive program records(see fig.3 where the schedule record and the program record are transmitted in interleaved manner; the records describing time slots can be carried in the form of a "schedule record" that combines title and description information into a daily schedule. Examples of such IPG data record structures are illustrated in FIG. 3. It should be appreciated that many other message types are transmitted in a similar manner, col.14, lines 57-67; col.15-1-3; col.16, lines 55-64);

wherein each program record and its associated schedule records are received prior to the next program record being received(see fig.3 where the title and the description of each event is received before receiving another data for another event; for each event, a title can be provided together with the time at which the event is available, col.6,lines 26-29; each of the N blocks contains the title and description information for

all events within a particular time slot col.14, lines 63-67; col.15, lines 1-3; that means all parts of a specific program is received prior to receive data of another program).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching Coleman into the invention of Baldwin for the purpose of transmitting EPG data in an interleaved manner .

Re claim 2, Baldwin et al disclose characterized in that the interleaved program records and schedule records are sorted on a time basis (the EPG server 110 can be used to pre-sort those items of EPG data selected as a result of the time-based selection process, 0088).

Re claim 3, Baldwin et al disclose characterized in that schedule records refer to program records that are ahead in the coding scheme (see fig.6; program records,0091; schedule records,0091) .

Re claim 4, Baldwin et al disclose characterized in that the interleaved program records and schedule records are coded in a section, which is separate and ahead in the coding scheme from other sections comprising information relating to the programs.(Identifiers are inserted into the compressed data string to separate substrings,0007).

Re claim 5, is met a previously discussed with respect to claim 1.

Re claim 7, Baldwin et al disclose a device comprising an encoder for coding EPG data comprising program records and schedule records in accordance with the method as claimed in claim 1(see fig.2, element 226, data compressor).

Re claim 8, Baldwin et al disclose a receiving device comprising a decoder for decoding EPG data comprising program records and schedule records coded in

accordance with the method as claimed in claim 1 (see fig.3, element 304, decoder; the client is equipped with hardware and/or software to receive and decode a broadcast video signal,0039).

Re claim 10, Baldwin et al disclose wherein upon storing in memory, substantially all stored EPG data is complete for both program records and schedule records(see fig.3, element 310; RAM 310 stores data used by the client, including the EPG data file 126 as well as any compression table used to decompress the file,0039).

As claim 11, the claimed " a method for transmitting EPG data to a receiving device comprising: transmitting EPG data comprising a plurality of program records and a plurality of schedule records in an interleaved manner, each of the plurality of program records identifying one program and each of the plurality of schedule records identifying one or more specific scheduled broadcast times of one program...; wherein each program record and its associated schedule records are received prior to the next program and its associated schedule records being received, wherein the EPG data for each program is read, parsed and stored in the memory as it is being received before the complete reception of all EPG data" is composed as the same structural elements as previously discussed with respect to the rejection of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcy /

/Brian T Pendleton/

Supervisory Patent Examiner, Art Unit 2425